

**AN ORDINANCE BY
COMMITTEE ON COUNCIL**

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-91 (ENTITLED, "INTENT AND PURPOSE OF RULES") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO REVISE THE SCOPE OF THE TERM "IMMEDIATE FAMILY"; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the committee on council held work sessions and meetings to review the Code of Ordinances, City of Atlanta, Georgia (hereinafter, "City Code") to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 2, Subdivision II, Section 2-91 of the City Code describes the purpose of the rules of procedure of the council with respect to how members are to avoid conflicts of interest; and

WHEREAS, it is the intent of the city council to clarify the term "immediate family" so that it is uniform throughout the City Code.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS
AS FOLLOWS:**

Section 1: Chapter 2, Article II, Division 2, Subdivision II, Section 2-91, which reads:

It is the intent and purpose of the rules of procedure of the council in this subdivision that every effort be made by the council and by each of its members to avoid any conflict of interest, either real or apparent. No member shall knowingly cast a vote upon any measure before the council wherein the outcome of such measure would affect, either directly or indirectly, any financial interest on the member's part or on the part of any of the member's immediate family. For the purposes of this section, the term "immediate family" shall include a spouse, a child or spouse of a child, a brother or sister or spouse of either, a father or mother or spouse of either and a niece or nephew or spouse of either. It is incumbent upon every member to resolve all questions of conflict in favor of the avoidance of that conflict or apparent conflict. Accordingly, whenever a member shall be in doubt as to whether participation in any measure would constitute a conflict of interest, it shall be incumbent upon the member to first advise the council as to the entire circumstances thereof and to abide by the determination of the council by majority vote as to whether or not the member, under this subdivision, shall participate in this measure. Any member who violates this section shall be subject to censure by the members of the council.

be hereby amended to read as follows:

It is the intent and purpose of the rules of procedure of the council in this subdivision that every effort be made by the council and by each of its members to avoid any conflict of interest, either real or apparent. No member shall knowingly cast a vote upon any measure before the council wherein the outcome of such measure would affect, either directly or indirectly, any financial interest on the member's part or on the part of any of the member's immediate family. For the purposes of this section, the term "immediate family" shall **include the spouse, domestic partner registered under section 94-133, mother, father, sister, brother, and natural or adopted children of an official or employee.** It is incumbent upon every member to resolve all questions of conflict in favor of the avoidance of that conflict or apparent conflict. Accordingly, whenever a member shall be in doubt as to whether participation in any measure would constitute a conflict of interest, it shall be incumbent upon the member to first advise the council as to the entire circumstances thereof and to abide by the determination of the council by majority vote as to whether or not the member, under this subdivision, shall participate in this measure. Any member who violates this section shall be subject to censure by the members of the council.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.